

# RESOLUTION

## RESOLUTION OF THE TOWN OF NORTH STONINGTON

appropriating \$38,550,000 for the design, construction, equipping, and furnishing of a new Wheeler Middle/High School addition and renovation to the Gymnasium and an addition and renovations to North Stonington Elementary School, demolition of portions of the existing Wheeler Middle and High School, and other improvements to be used for the North Stonington Board of Education Central Office and authorizing the Town issue bonds or notes and temporary notes to finance the portion of such appropriation not defrayed from grants

BE IT RESOLVED;

(a) That the Town of North Stonington appropriate THIRTY-EIGHT MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$38,550,000) for costs with respect to the design, construction, equipping, and furnishing of a new Wheeler Middle/High School addition and renovation to the Gymnasium and an addition and renovations to North Stonington Elementary School, demolition of portions of the existing Wheeler Middle and High School, and other improvements to be used for the North Stonington Board of Education Central Office and authorizing the Town issue bonds or notes and temporary notes to finance the portion of such appropriation not defrayed from grants.

The projects are contemplated to be completed substantially as follows:

**WHEELER MIDDLE/HIGH SCHOOL ADDITION AND RENOVATIONS TO THE GYMNASIUM:** (1) an approximately 44,250 square feet two level addition at the Gymnasium on the west side of Route 2, to house the new Wheeler Middle/High School that will accommodate: classrooms, science labs, art studios, graphic and CADD labs, Special Education classrooms and support spaces, a multipurpose space to support the chorus program, business labs and classrooms, a cafeteria and server, media center, student and faculty toilets and infrastructure spaces for circulation, storage and mechanical, electrical and plumbing systems; (2) Improvements within the existing gymnasium building will include: the renovation of the gymnasium including storage, locker rooms, public toilets, stage and a lobby/circulation space, administrative offices, nurse/health clinic, offices and the band room and related storage and practice rooms; (3) various building systems improvements including: replacement of all mechanical, electrical, plumbing, and fire protection systems and infrastructure; security and communication systems upgrades; energy conservation improvements including exterior wall, door, window, and roof replacement or updates; central air conditioning system installation throughout the building; and installation of an emergency generator and alternative energy systems; (4) various code and ADA compliance improvements and renovations; (5) various site improvements including: septic system, separation of the bus/parent/student vehicular traffic circulation, and additional parking; (6) related improvements and work.



**ADDITION AND RENOVATIONS TO THE NORTH STONINGTON ELEMENTARY SCHOOL:**

(1) an approximately 2,600 square feet addition at the elementary school to accommodate the reconfiguration of central kitchen, server, cafeteria, multipurpose room/stage, and instructional programs; (2) improvements within the existing building will include: reconfiguring the gymnasium including storage, offices, student/public toilets, a lobby/circulation space, fully renovated classrooms and handicapped accessible toilets in the Pre-Kindergarten and Kindergarten classrooms; relocation of the art, music and technology program in a fully renovated space; relocation renovations and improvements of the media center and special education programs; renovations associated with the nurse/health clinic, administrative and guidance offices; and expansion and renovation of the cafeteria and kitchen; (3) various building systems improvements including replacement of all mechanical, electrical, plumbing, and fire protections systems and infrastructure; security and communication systems upgrades; energy conservation improvements including exterior wall, door, window, and roof replacement or updates; central air conditioning system installation throughout the building; and installation of an emergency generator and alternative energy systems; (4) various code and ADA compliance improvements and renovations; (5) various site improvements including separation of the bus/parent/student/parking and vehicular traffic circulation; accessibility to all site facilities; pavement resurfacing; physical education; and building access improvements; updating the site utility and drainage infrastructure; (6) all HAZMAT remediation; and (7) related improvements and work.

**DEMOLITION OF PORTIONS OF THE EXISTING WHEELER MIDDLE/HIGH SCHOOL AND OTHER IMPROVEMENTS TO BE USED FOR THE NORTH STONINGTON BOARD OF EDUCATION CENTRAL OFFICE:**

(1) all demolition and HAZMAT remediation of portions of the existing Wheeler Middle/High school located on the east side of Route 2 comprising the 1950s and 1960s building along with the boiler room, kitchen and cafeteria spaces; and (2) removal and replacement of the roof in the area comprising the current main entry, the main office, media center, art room, classrooms up to the corridor leading to the elevator in the two story wing of the high school portion of the old Wheeler Middle /High School, to be used for the North Stonington Board of Education Central Office; (3) all HAZMAT remediation related to the roof replacement; and (4) related improvements and work.

**provided that:** (1) prior to the receipt by the Town of a written grant commitment from the State of Connecticut for eligible cost of the projects, no portion of the appropriation in excess of \$1,590,000 shall be expended on costs of the projects, and such expenditures shall be limited to costs for the development of the projects, including but not limited to architectural, engineering, consultant, and other professional fees including legal fees, administrative costs including costs related to the application for and acceptance of grants, and the payment of net temporary interest and other financing costs; and (2) prior to the receipt by the Town of a written grant commitment from the State of Connecticut for not less than 46.07% of the fully eligible costs of the projects (subject to adjustment for State per pupil maximum space standards), no portion of the appropriation shall be expended on the construction of the projects.

The appropriation may be spent for design, construction, acquisition, installation and demolition costs, site improvements, infrastructure improvements, equipment, furnishings, materials, architectural, engineering, consultant, and other professional fees including legal fees, administrative costs including costs related to the application for and acceptance of grants, the payment of net temporary interest and other financing costs and other expenses related to the projects or their financing. The Ad Hoc School Building Committee for the School Facilities Modernization Project established by the Town's Board of Selectmen and the Town Meeting for the projects (the "Ad Hoc School Building Committee") shall determine the final scope and particulars of the projects. The Ad Hoc School Building Committee may



reduce or modify the scope of the projects if funds are not sufficient to complete all of the projects, and the appropriation may be spent on the projects as so reduced or modified. The Town anticipates applying for and receiving a grant from the State Department of Education to defray in part eligible costs of the projects.

(b) That the Town issue bonds or notes, in an amount not to exceed THIRTY-EIGHT MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$38,550,000) to finance the aforesaid appropriation. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the projects to the extent not separately appropriated to defray additional costs of the projects. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes and the receipt of grants to finance the aforesaid appropriation. The amount of the notes outstanding at any time shall not exceed THIRTY-EIGHT MILLION FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$38,550,000). The temporary notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, or any other enabling acts. The temporary notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply, to the extent applicable, with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

(d) That the First Selectman and the Treasurer of the Town shall sign any bonds, notes or temporary notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds, notes or temporary notes. The First Selectman and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes or temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes or temporary notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or temporary notes; to sell the bonds, notes or temporary notes at public or private sale; to deliver the bonds, notes or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or temporary notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the projects may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the projects. The First Selectman and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or temporary notes authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes or temporary notes to provide secondary market disclosure information, which agreements may include such terms as they

deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes or temporary notes.

(g) That the Ad Hoc School Building Committee shall act as the school building committee for the projects and is authorized to approve design and construction expenditures for the projects, and to exercise such other powers as are necessary or appropriate to complete the projects. Necessary expenses of the Committee shall be included in the cost of the projects. The records of the Committee shall be filed with the Town Clerk and open to public inspection during normal business hours. Upon completion of the projects, the Committee shall make a complete report and accounting to the Board of Selectmen and the Town. The Board of Selectmen is authorized to contract with architects, engineers, contractors, construction managers, and others in the name and on behalf of the Town as necessary or desirable to implement the projects.

(h) That the Board of Education is authorized to apply to the State of Connecticut Commissioner of Education for, and to accept or reject, grants for the projects. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the projects, and to file such documents as may be required by the State Board of Education to obtain grants for costs of the projects.

(i) That the First Selectman, the Treasurer, the Board of Education, the Ad Hoc School Building Committee, and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the projects and to issue bonds or notes and temporary notes and obtain grants to finance the aforesaid appropriation.